

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GUSTAVO ALVARADO-GUERRERO,

Defendant.

8:16CR307

ORDER

This matter is before the court on defendant's MOTION FOR ADDITIONAL TIME TO FILE PRETRIAL MOTIONS [51]. For good cause shown, I find that the motion should be granted. Pretrial Motions shall be filed by February 16, 2017.

IT IS ORDERED:

1. Defendant's MOTION FOR ADDITIONAL TIME TO FILE PRETRIAL MOTIONS [51] is granted. Pretrial motions shall be filed on or before February 16, 2017.

2. Defendant is ordered to file the affidavit required by Rule 16(c), Fed. R. Cr. P. and NE. Crim. R. 12.1 forthwith.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between February 13, 2017 and February 16, 2017, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

Dated this 13th day of February, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge